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OFFICE OF PETITIONS

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|-------------------------------------|---|-------------|
| In re Application of | : | |
| Farmer, Chen and Wen | : | |
| Application No. 10/619,035 | : | ON PETITION |
| Filed: July 14, 2003 | : | |
| For:SYSTEM OR METHOD FOR SEGMENTING | : | |
| IMAGES | : | |

This is a decision on the petition under 37 CFR 1.47(a), filed December 14, 2004.

This is also a decision on the petition under 37 CFR 1.137(b), filed December 14, 2004, to revive the above-identified application.

A review of the file reveals that on October 14, 2003, the United States Patent and Trademark Office (Office) mailed a Notice to File Missing Parts of Nonprovisional Application (Notice) to petitioner, which set forth a two-month period to submit the required payment of a \$130.00 surcharge, a properly signed oath or declaration in compliance with 37 CFR 1.63, and replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 to avoid abandonment of the application. Extensions of time to reply to the Notice were permissible.

Petitioner did not respond to the Notice of October 14, 2003, within the stated time period for filing a reply. Accordingly, the application became abandoned on December 15, 2003. A Notice of Abandonment was mailed on October 20, 2004.

On December 14, 2004, petitioner filed the present petitions under 37 CFR 1.47(a) and 37 CFR 1.137(b), a declaration signed by one of the three inventors, a \$130.00 surcharge, and a \$1,500.00 petition to revive fee. However, petitioner failed to submit replacement drawings with the present petitions as required by

the Notice of October 14, 2004. Accordingly, **this application remains abandoned.**

Under the circumstances of this application, petitioner must file a renewed petition to revive under 37 CFR 1.137(b) and replacement drawings within **TWO (2) MONTHS** of this decision before the petition under 37 CFR 1.47(a) may be addressed on its merits. No extensions of time are permissible. Accordingly, the petition is **dismissed** without prejudice. The petition under 37 CFR 1.47(a) will remain in the file until such time as petitioner has filed a grantable petition to revive under 37 CFR 1.137(b).

The Office finance records reveal that petitioner did not pay the requisite \$200.00 fee for a petition under 37 CFR 1.47(a). Therefore, Deposit Account No. 18-0013 will be charge the \$200.00 fee, as authorized.

Further correspondence with regard to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (703) 872-9306
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
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Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211.

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